

West Windsor Selectboard  
Draft Minutes  
November 23, 2015

Present: Dick Beatty, Tom Kenyon, Ted Siegler, Jason Rasmussen (SWCRPC), Mike Spackman, Laura Stillson, Bruce Boedtger, Dave Halpert, Martha Harrison, Susan Hines, Annie Burke, Cathy Archibald

1. Call to Order – Dick Beatty called the meeting to order at 8:00 AM.
2. Changes or additions to the agenda – MOU with AT&T re: contribution to cost of Base Lodge improvements; DRB resignation/appointment; MOU between Mountainside, TPL and the town
3. Sign Town Clerk's orders – The Selectboard agreed to sign orders at the end of the meeting
4. Town Clerk/Treasurer's Report – Cathy had the EC Fiber promissory note for the Selectboard to sign. **Tom moved to approve signing the note. Dick seconded the motion, which passed unanimously.** Cathy said Molly Keating has asked to use the Town Hall for more dances in January, February and March. The Selectboard agreed that Molly can submit one application for all three dates. The Selectboard also agreed to waive the application fee.
5. Announcements/Public Comment – None
6. Town Forest Committee budget: Laura Stillson – Laura said with Mt. Ascutney Outdoors taking over the maintenance of the trails, the Town Forest Committee (TFC) will no longer have to budget for that expense. Laura said the TFC's budget last year was \$8,500. Laura said the TFC will need \$2,000 to finish building a recreational trail, although \$1,560 will be reimbursed. Laura said they are not sure yet whether they need another archeological evaluation. Laura asked if the town is planning any more boundary surveys. Ted said he thinks everything has been surveyed. Laura asked if any additional funding is needed for the acquisition of the mountain. Ted said the town's contribution has not changed. Laura asked if any money is coming to the town from TPL. Dick said the town just received a \$15,000 grant from the Byrne Foundation, which could be used for costs associated with the management of the property. Laura asked about the costs associated with the Town Forest Management Plan. Ted said the Selectboard is going to have to include money for that in the 2016 budget. Ted said, once we own the property, we're going to have to discuss the roles of the TFC, the Conservation Commission and Mt. Ascutney Outdoors (MAO). Laura said she may have to step down from the TFC due to her involvement with MAO.
7. EC Fiber update: Dave Halpert – Dave said construction on the network has started with the installation of support cables for the 144-fiber bundles. All the "make ready" is done and the contract with the pellet plant is in place for the hub. Dave said the trunk line has to be in place before connections can be made. Residents on the route with existing underground conduit should make sure the conduit is clear. If it's clear, the connection can probably be made in the winter. Dave said EC Fiber will hang door tags when they're ready to start connecting customers. EC Fiber is leasing bandwidth from Sovernet until EC Fiber has its own infrastructure. The phone service will be "voice over internet." Television service will not be offered. Tom asked about the section on Banister Road where easements are needed. Dave said they can work around it until the easements are in place. Ted asked about future expansion. Dave said he is reluctant to discuss expansion plans until the initial route is in place. Dave said EC Fiber currently has more than 1,300 customers and is profitable from an operating perspective, not including debt.

8. Sign closing documents for EC Fiber loan – see item #4
9. Consider approving conversion of EC Fiber to a Communications Utility District – Dave said last year EC Fiber decided to simplify their governance structure by becoming a communications union district. Dave asked the Selectboard to pass a Resolution Requesting Membership in the East Central Vermont Telecommunications District and Appointing a Representative to the Governing Board Thereof. Dave said there's no financial liability involved for the member towns. Dave said the organization will still be known as EC Fiber. EC Fiber is considering acquiring Valley Net, or hiring another contractor. Valley Net currently has design/build and operating responsibilities and EC Fiber provides the financing. Dave gave the Selectboard information about the new legal structure for the organization. Dave asked the Selectboard to consider signing the Resolution prior to the next EC Fiber governing board meeting on December 8<sup>th</sup> so he can participate in that meeting.
10. Discuss recent traffic count results – The Selectboard discussed the results of the recent traffic counts by Flat Iron Road, which indicate the number of out-of-town residents who are using Route 44.
11. Bike & Pedestrian Master Plan: Jason Rasmussen provided 3 copies of the plan. Ted asked about the new state criteria for crosswalks. Jason said there is a new crossing improvements guide so it might make sense to re-apply for the crosswalk. The Selectboard asked Jason to look into it further on their behalf. Ted said he would prefer not to lower the speed limit in the village unless we have to in order to have a crosswalk established. Jason said to change the speed limit the town would have to go through the state traffic committee. Jason agreed to review the new guidance information on crossing improvements and make a recommendation to the Selectboard. Jason talked about a new “advisory bike lane” option for road-sharing by bikes and cars, but said it may not make sense for West Windsor. Jason and the Selectboard discussed the options for Route 44 between Seems Road and the Post Office and decided, for the short-term, to ask VTrans to pave the shoulder on the north side and, for the long-term, to ask VTrans to shift the centerline of the road to allow for shoulders on both sides of the road. Initially, Jason said, VTrans is probably going to want some engineering done so we'll have to figure out who is going to do that and who is going to pay for it. The Selectboard talked about prioritizing the projects and agreed to start working on the short-term projects soon. Jason said when District 4 re-paves Route 44, they will probably just do an overlay. Jason agreed to make changes to the Bike & Pedestrian Plan based on the feedback from VTrans and the Selectboard.
12. Application for Public Assembly – **Ted move to approve the application by Mt. Ascutney Outdoors (Ray Shannis) for a fundraising dance on December 12<sup>th</sup> from 7:00 – 9:00 PM at the Town Hall. Tom seconded the motion, which passed unanimously.**
13. Consider signing Letter of Intent to purchase electricity from solar facility – Dick noted that the town asked Paul Giuliani to review the letter and he agreed that it's a non-binding letter of good faith intent and the town should not entertain proposals from competing solar vendors during the 60-day negotiating period. Dick said there are two letters – one that includes the electric meters for town buildings and one that includes the electric meters for the water system. Martha noted that the meter for the Base Lodge includes AT&T's equipment. Martha said the School Board signed a Letter of Intent but she is waiting for the usage information from the Business Manager for the Supervisory Union. **Ted moved to authorize Dick to sign the letters on behalf of the town and on behalf of the water system, for which the town is acting as receiver. Tom seconded the motion.** Tom wondered about including the Grange Hall. Dick suggested that the Historical Society

contact Mountain Funds, LLC. Tom asked if additional buildings can be added in the future. Dick said this letter of intent is based on the information we have at this time. Dick said the approval and negotiations still have to happen. **Dick called for a vote on the motion, which passed unanimously.**

14. Highway Foreman's report – Ditching: Mike said cleaning the ditches with a blower has made a big difference in preventing culverts from getting clogged. Paving: Mike said the town has had a few small areas on Brownsville-Hartland Road paved with recycled asphalt at no charge. Shattuck Hill: Mike said the culvert on Shattuck Hill Road has been installed and ditched and the bill has been sent to the property owner. Dick noted the three installment payments and the town's willingness to work with the property owner on the payment schedule if necessary. Town Forest: The Selectboard agreed that the Highway Department should proceed with re-locating the trail so it is not encroaching on Dianne Connors property. Dick noted that proposed letter of understanding with regard to the Davis cabin in the town forest. Tom asked if it's going to hold up the closing. Dick said no. Gerstmyer property: Mike said a drop inlet was installed on the Gerstmyer property, in the town right-of-way, without permission. The Selectboard agreed to send the property owner a letter. Mike said, in his opinion, if a property owner installs a structure in the right-of-way without Selectboard approval, the property owner is liable for any resulting damage to the road. **Tom moved to authorize the Chair to send a letter to the property owner on behalf of the Selectboard. Ted seconded the motion.** Tom suggested that the Highway Foreman also sign the letter. Dick said the letter can note that the situation was brought to the Selectboard's attention by the Highway Foreman. **Dick called for a vote on the motion, which passed unanimously.**
15. Review draft capital equipment budget for highway department – Martha agreed to provide the Selectboard with hard copies. Ted said we're going to have to increase capital reserves now if we want to solve this problem for the long run. There was also discussion about the need to replace fire equipment. Mike said the capital budget for the fire department should be separate from the budget for the highway department. Mike and Martha agreed to draft a capital budget for the fire department. Dick noted that the projections are sobering. Ted said the question is whether we set aside the money or borrow it. Tom said we can get a better deal if we have the money on hand already.
16. Sign certificate to close 2014 Grand List – **Tom moved to certify the 2014 Grand List. Dick seconded the motion, which passed unanimously.**
17. Approve submission of VT Municipal Bond Bank application – Martha said Cathy filled out an application last year but it needed to be revised and updated. **Ted moved to authorize the Town Treasurer to sign the application. Tom seconded the motion, which passed unanimously.** Martha noted that the bond bank is trying to get a board meeting set up before Thanksgiving.
18. Village sewer project update – Tom said the directional bore under Mill Brook will take place in the spring. The boring under Beaver Brook is done. Tom noted that the project is going very well. Ted asked about the town hall septic system. Tom said the contractor is going to have the tank pumped as needed. Martha said we've made the first payment to the contractor but the second payment is going to be a lot bigger. Dick asked if Cathy will get a line of credit to cover the short-term expenses. Tom said he thinks she's going to get a line of credit from our bank. Dick said he wants to make sure the credit is in place when the bill comes in. Martha said the bond bank said they would process our application as soon as possible. Regarding the CDBG grant, Martha said the town has fulfilled its award conditions but HUD has not released the funds yet. VCDP has suggested that we get a requisition in as

soon as possible so they can get the funds to us as soon as HUD releases them. Martha said she will email the signature page of the application to the bond bank today. They already have the rest of the application.

19. Water system update – Martha said it does not appear that the snowmaking system is included with the water system but she will touch base with Paul Giuliani again. Ted asked if the P&S between TPL and MFW includes the snowmaking system. Dick said no; it's his understanding that it's included with the water system. Ted said A+E doesn't think it makes sense to use the snowmaking system for firefighting. Dick said two members of the Utility Committee are supposed to meet with A+E before the December 11<sup>th</sup> joint meeting. Ted asked if the engineers will be at the joint meeting. Dick said yes. Martha said the meeting between the Utility Committee members and A+E is scheduled for next Monday at 10:00 AM here at the Town Hall. Martha asked Mike if he's available. Regarding the fact that Mountainside is not connected to the sewer system, the Utility Committee clarified that Mountainside's representatives do not vote on sewer issues. Martha said Patricia has asked if the town can plow up to the valve house behind the Base Lodge. Tom said the water system should contract with someone to plow it. Mike said he can't plow it; it's a field. Mike said Dan Lesnick plowed it last year with a loader and sanded it with a one-ton. Ted asked why it has to be plowed. Tom said they go there every day to take readings. Mike suggested building a proper road. Tom said we have to own it first. Dick asked if the conservation easement will allow the construction of a road. Martha said she will check with John Roe. Improvements to Base Lodge: Dick noted that the roof and the cleaning have been done and the additional lighting will be done after Thanksgiving. Tom said the roof does not keep the water out completely but it's a big improvement. Dick said we have a draft MOU from AT&T indicating they will make a one-time contribution to the costs. Ted asked if AT&T is paying their share of the electric bill. Martha said no; she saw an email from AT&T's attorney directing that payment to the town be made but she doesn't think the town has received a check. Martha said she will ask Cathy for copies of the bills. Dick noted that the MOU is for assistance with the roof, not the electric bill. Dick said he will review and comment on the draft MOU. Tom asked if we have heard from the Public Service Board. Dick said no; but there have been no further interventions. Ted asked if we have a P&S for the water system. Dick said yes; we have an agreement to purchase the water system for \$1.
20. Repairs to snowmaking/firefighting system – see item #19 above.
21. Discuss Boundary Line Adjustment with Mountainside Condo Assoc. – Dick said he thinks there is agreement on the swap but Nate Stearns does not yet have powers of attorney from all 15 property owners. Dick said, according to Kate, the adjustment is not going to happen until after the closing, although Kate does want the covenant released before then. Martha said it's going to take some time to get mortgage releases for the boundary line adjustment. Dick noted an MOU that TPL would like to sign with Mountainside and the town. Dick said he has a couple of suggestions for Kate on the MOU.
22. Mountain property acquisition update – Ted asked about the legal description for Hotel Road. Dick said he has reviewed the title commitments and the exceptions for the 460 acres, the parking lot and the maintenance shed parcel. Dick noted that TPL has exercised their option to purchase the property. With regard to Hotel Road, Dick said the title examiner couldn't find a source deed.
23. Review & discuss proposed trail easement map – Dick explained that MFW made changes to the proposed trail easements in the Mile Long Field area. Dick said Dan Purjes would like Jim Lyall, Seth Warren and John Saydek to walk the trails and agree on an acceptable layout.

There was discussion about a purchase and sales agreement recently entered into for Mile Long Field (MLF) and the buyer's intention to leave the trails on the field open for public access. The changes to the proposed trail easements are primarily on the property to the west of MLF. Dick noted that the Development Review Board can't meet to consider the revisions to the trail easements until the town and MFW reach an agreement on a revised layout.

24. Discuss Base Lodge option agreement – Dick noted nothing further from Mark Blundell.
25. Other Business – DRB appointment: Dick said Jay Van Brunt has resigned from the DRB and the DRB has voted to recommend that the Selectboard appoint Jane Hoisington to fill out the remainder of his term. **Ted moved to appoint Jane Hoisington to complete Jay Van Brunt's term on the DRB. Tom seconded the motion, which passed unanimously.** Drop Box: Ted asked Martha if she was able to set up a Drop Box account. Martha said she can't use the highway department's credit card so she has no way to pay for it. Martha said the Selectboard will have to decide whether they want the town to have a credit card or a prepaid debit card. Ted said he'd like to keep the process moving and asked Martha what she would prefer. Martha said as we move into the 21<sup>st</sup> century, there will probably be more and more situations where we need a credit card. Ted asked Dick to talk with Cathy about getting a credit card for the town. Dick agreed. Dick added that we need a policy governing the use of the card. There was discussion of the different types of drop box accounts and the associated costs. Ted said we should get the card and get drop box set up and put it on the agenda for the next meeting to establish a policy. Ted added that the Selectboard will review the credit card payment order every month. Dick said Martha and Cathy should be the only ones authorized to use the card. Ted suggested putting a limit on the card. EC Fiber Resolution: **Ted moved to authorize the Chair to sign the Resolution Requesting Membership in the East Central Vermont Telecommunications District and Appointing a Representative to the Governing Board Thereof once he has reviewed and is satisfied with the enabling legislative language. Tom seconded the motion, which passed unanimously.**
26. Approve Minutes - October 26: **Ted moved to approve the minutes of October 26. Tom seconded the motion, which passed unanimously.** November 9: **Tom moved to approve the minutes of November 9. Dick seconded the motion, which passed with Ted abstaining.**
27. Town Clerk's order – **Tom moved to sign order. Dick seconded the motion, which passed unanimously.**
28. Adjourn – **The Selectboard adjourned by consensus at 10:35 AM.**

Respectfully submitted,

Martha Harrison